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6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 v.

13 MITCHELL SWANSON,
14 Defendant.

Case Nos. *5:21-po-00391-SAB*
5:21-po-00392-SAB

MOTION AND ORDER FOR DISMISSAL
WITHOUT PREJUDICE AND TO VACATE
TRIAL DATE

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17 The United States of America, by and through Phillip A. Talbert, United States Attorney, and
18 Jeffrey A. Spivak, Assistant United States Attorney, pursuant to Rule 48(a) of the Federal Rules of
19 Criminal Procedure, moves to dismiss this case in the interest of justice without prejudice, and vacate
20 the trial date in this matter.

21 DATED: August 24, 2022

Respectfully submitted,

22 PHILLIP A. TALBERT
23 United States Attorney

24 By: /s/ Jeffrey A. Spivak
25 JEFFREY A. SPIVAK
Assistant U.S. Attorney
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ORDER

IT IS HEREBY ORDERED that this case is dismissed in the interest of justice without prejudice.

The September 6, 2022 trial date in this case is hereby VACATED.

IT IS SO ORDERED.

Dated: August 24, 2022

A handwritten signature in blue ink, appearing to read "James A. Be...", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE